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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,910	03/01/2002	Akiyoshi Hashimoto	H-1039	7123
7590	12/09/2005			
MATTINGLY, STANGER & MALUR, P.C. Suite 370 1800 Diagonal Road Alexandria, VA 22314			EXAMINER	SHERKAT, AREZOO
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/084,910	HASHIMOTO ET AL.
	Examiner Arezoo Sherkat	Art Unit 2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 19 September 2005.
- 2a) This action is **FINAL**.                                   2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

***Response to Amendment***

This office action is responsive to Applicant's amendment received on Sep. 19, 2005. Claims 1, 8-10, and 17 are amended. Claims 18-20 are added. Claims 1-20 are pending.

***Response to Arguments***

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 and 12-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Sanada et al., (U.S. Publication No. 2001/0008010 and Sanada hereinafter).

Regarding claims 1-2, 8, and 17, Sanada discloses a second storage, comprising:

a plurality of nonvolatile data storing devices (i.e., disk drives), a controller of the nonvolatile data storing devices connected to each of the data storing devices (i.e., microprocessor 42)(Page 3, Par. 0039), said controller having a plurality of network

transportation ports connected to different networks (i.e., host computers 10, 20, 30), respectively, an access controller for processing I/O commands of different types requested for the transportation ports, and an access controlling table for storing access control setting information for each of said network transportation ports that defines one of unauthorized access for the I/O commands or authorized access for at least one of the types of the I/O commands between each of the plurality of network transportation ports and each of the plurality of nonvolatile data storing devices (Page 6, Par. 0099-0117), wherein said access controller judges the unauthorized access or the authorized access of the I/O commands requested for each of the transportation ports based on the access control setting information (Page 1, Par. 0013).

Regarding claims 3 and 19, Sanada discloses further including a plurality of logical disks comprised of at least one of said data storing devices, wherein said access control setting information defines said one of the unauthorized access for the I/O commands or authorized access for at least one of the types of the I/O commands between each of the plurality of transportation ports and each of the plurality of the logical disks (Page 1, Par. 0013).

Regarding claims 4 and 20, Sanada discloses further including a management console connected to said controller for setting and changing the access control setting information in the access controlling table for each of the network transportation ports

Regarding claims 5-7, Sanada discloses wherein the access controller reports the I/O command judged as unauthorized to the management console (Page 1, Par. 0013).

Regarding claims 11-16, Sanada discloses an access controlling method according to claim 8: wherein when a system of the I/O commands is the SCSI (Small Computer system interface) standards, a “CHECK CONDITION” status is transmitted as a report of abnormalities (Pages 4-6, Par. 0062-0098).

Regarding claim 18, Sanada discloses wherein the different types of I/O commands include READ and WRITE and the access control setting information includes READ only enable, WRITE only enable and recognition disabled for each of the network transportation ports (Page 6, Par. 0102-0117).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanada et al., (U.S. Publication No. 2001/0008010 and Sanada hereinafter), in view of Li et al., (U.S. Publication No. 2003/0093509 and Li hereinafter).

Regarding claim 9, Sanada does not expressly disclose when exceeding a predetermined threshold of unauthorized accesses, access from the plurality of transportation ports the data is not authorized.

However, Li discloses wherein when a judgment frequency of the access non-authorization to specific data stored the nonvolatile data storing means exceeds a predetermined threshold, access from the plurality of transportation ports the data is not authorized (Pages 2-3, Par. 0027-0030).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the storage assignment method of Sanada by including wherein when a judgment frequency of the access non-authorization to specific data stored the nonvolatile data storing means exceeds a predetermined threshold, access from the plurality of transportation ports the data is not authorized as disclosed by Li. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Li to facilitate access by multiple hosts to multiple storage devices in a manner consistent with network administrators' wishes and without risk of unwanted access conflicts (Li, Page 1, Par. 0009).

Regarding claim 10, Sanada does not expressly disclose wherein an administrator of the second storage is notified.

However, Li discloses wherein when a judgment frequency of the access non-authorization to specific data stored in nonvolatile data storing means exceeds a predetermined threshold, an administrator of the second storage is notified that the judgment frequency of the access non-authorization exceeds a predetermined threshold (Pages 2-3, Par. 0027-0030).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the storage assignment method of Sanada by including wherein an administrator of the second storage is notified that the judgment frequency of the access non-authorization exceeds a predetermined threshold as disclosed by Li. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Li to facilitate access by multiple hosts to multiple storage devices in a manner consistent with network administrators' wishes and without risk of unwanted access conflicts (Li, Page 1, Par. 0009).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*A. Sherkat*  
Arezoo Sherkat  
Patent Examiner  
Group 2131  
Dec. 6, 2005

*Cel*  
Primary Examiner  
AU 2131  
12/7/05